IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE G. BIKSHAPATHY
WRIT PETITION NO : 17475 of 1994

Between:
T.J.N. Vijaya Babu S/o late T. Devadanam
Chiristian, Unemployed aged 33 years,
R/o Advinekkalam, Krishna Dist.

..... PETITIONER

AND

1 The District Educational Officer Krishna at Machlipatnam
2 Indian Christian Mission Schools rep. by Correspondent & Admn. Officer Opp: to Stadium, Eluru, West Godavari Dist.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an Order or direction or Writ, particularly one in the nature of Writ of Mandamus directing the respondent to consider the case of the petitioner for appointment of a Teacher or any other suitable vacancy for appointment on compassionate Grounds declaring their inaction as illegal and ultravires of the provisions of Art. 14 & 21 of the Constitution of India

For the Petitioner: MR.V.S.R.ANJANEYALU

For the Respondent No.: GP FOR EDUCATION

The Court Made the Following :

ORDER:

1. This Writ Petition is filed seeking a direction to the first respondent to consider the case of the petitioner for appointment on compassionate grounds.

2. The father of the petitioner Sri Talari Devadanam was working as Head Master in the second respondent school. While so, he did in service on 24.5.1992 therefore, the petitioner made an application for appointment on compassionate grounds. Even though it was recommended by the second respondent-School no orders have been passed by the first respondent, therefore, he seeks appropriate directions.

3. In the counter affidavit filed by the first respondent, it is stated that the mother of the petitioners is also working as Teacher in aided school. It is also stated that when there is no earning member of the family then only the petitioner is entitled for appointment under compassionate grounds, therefore, the petitioner is not entitled for appointment on compassionate grounds.

4. I have heard the learned counsel appearing for the petitioner and also the learned Government Pleader for School Education.

5. Acquiring higher qualification by the petitioner cannot be a

ground to disallow the case of the petitioner for appointment on compassionate grounds. However, it is seen that the mother of the petitioner is also working as a Teacher in Government School. Under those circumstances, G.O.No. 612 come on the way of the petitioner for getting employment on compassionate grounds.

6. Thus I don't find any merit in the Writ Petition and accordingly, the Writ Petition is dismissed. No costs.

Ka 17.06.2004.

ASSISTNT REGISTRAR

To
1 The District Educational Officer Krishna at Machlipatnam
2. 2 CCs to G.P for Education, High Court Buildings, High Court of A.P., Hyderabad.(OUT)
3. 2 CD Copies.